

NOV 28 2001

MP-410  
ENV-1.10

MEMORANDUM

To: Kirk Rodgers  
Acting Regional Director

From: ~~FOR~~ John F. Davis, ~~Charles B. Johnson, Jr.~~ Charles B. Johnson, Jr.  
Regional Resources Manager

Subject: Record of Decision for the Acquisition of Additional Water for Meeting the  
San Joaquin River Agreement Flow Objectives, 2001-2010

A Record of Decision (ROD) is attached for your review and approval. This document constitutes the ROD of the Department of the Interior, Bureau of Reclamation (Reclamation) Mid-Pacific Region, regarding the preferred alternative (Proposed Action) for the acquisition of additional water for meeting the San Joaquin River Agreement flow objectives. The Proposed Action is the subject of the *Final Supplemental Environmental Impact Statement/Environmental Impact Report, Acquisition of Additional Water for Meeting the San Joaquin River Agreement Flow Objectives, 2001-2010* (Final SEIS/EIR, March 13, 2001), developed in compliance with the National Environmental Policy Act (NEPA).

Questions regarding the attached ROD can be directed to Mr. Dan Meier, Acting Program Manager, Water Acquisition Program, at (916) 978-5559, TDD (916) 978-5608.

Attachment

bc: MP-150, 410 (Meier, Rust), 440  
(ea w/att)

WBR:DMeier:sa:11/27/01:(916) 978-5559  
H:\Pub410\WAP\VAMP Double Step 2001 to 2010 Supplemental Flows\Transmittal Letter.wpd  
Surname:410(2),150, FWS, 400

# RECORD OF DECISION

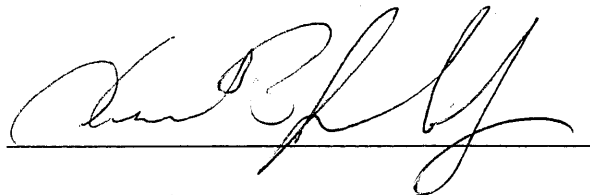
## ACQUISITION OF ADDITIONAL WATER FOR MEETING THE SAN JOAQUIN RIVER AGREEMENT FLOW OBJECTIVES, 2001-2010

### FINAL SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT AND ENVIRONMENTAL IMPACT REPORT

November 2001

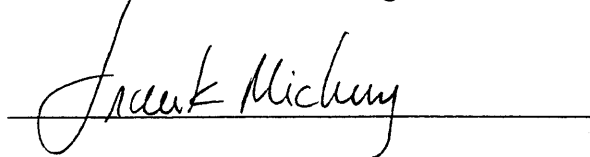
Approved:

Date: 11/28/01



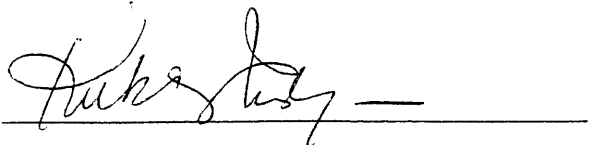
John F. Davis  
Regional Resources Manager  
Division of Resources Management

Date: 11/28/01



Frank Michny  
Regional Environmental Officer

Date: 12/4/01



Kirk C. Rodgers  
Acting Regional Director

## **I. INTRODUCTION**

This document constitutes the Record of Decision of the Department of the Interior, Bureau of Reclamation (Reclamation), Mid-Pacific Region, regarding the preferred alternative (Proposed Action) for the acquisition of additional water for meeting the San Joaquin River Agreement flow objectives. The Proposed Action is the subject of the *Final Supplemental Environmental Impact Statement/Environmental Impact Report, Acquisition of Additional Water for Meeting the San Joaquin River Agreement Flow Objectives, 2001-2010* (Final SEIS/EIR, March 13, 2001), developed in compliance with the National Environmental Policy Act (NEPA).

This document is a Supplemental EIS/EIR covering minor additions to the project addressed in the *Meeting Flow Objectives for the San Joaquin River Agreement, 1999-2010, Final Environmental Impact Statement/Environmental Impact Report* (Final EIS/EIR, Reclamation 1999). The Final EIS/EIR documented the environmental consequences of acquiring and using flows specified in the San Joaquin River Agreement (SJRA). The SJRA flow objectives were approved and confirmed in the State Water Resources Control Board's Water Right Decision 1641 (State Board 1999) revised March 15, 2000, in accordance with Order WR-2000-02.

The Final EIS/EIR did not specifically address the environmental impacts associated with acquiring the additional "supplemental" water (up to 47,000 acre-feet) for the spring pulse flow above the 110,000 acre-feet to achieve full Vernalis Adaptive Management Plan (VAMP) test flows. This Final SEIS/EIR provides the required environmental analysis to allow the acquisition of the supplemental flows for the period from 2001 through 2010.

## **II. RECOMMENDED DECISION**

The recommended decision is to proceed with the preferred alternative (Proposed Action) to acquire up to 47,000 acre-feet of "supplemental" water from willing San Joaquin River Group Authority (SJRG) members on the Tuolumne and/or Merced rivers, if needed, to achieve full target flows at Vernalis during April and May for Water Years 2001 through 2010. The SJRG members that may be providing the supplemental water are the Modesto, Turlock and Merced Irrigation Districts. This water is intended to supplement flows of the San Joaquin River to achieve full VAMP test flows that otherwise may not be achieved during certain years due to the SJRA cap of 110,000 acre-feet. The supplemental water would be provided under the willing seller provision of the SJRA.

## **III. OTHER ALTERNATIVE CONSIDERED**

In addition to the Proposed Action, the Final SEIS/EIR evaluated a No Action Alternative.

## **No Action**

The No Action Alternative represents the existing condition of up to 110,000 acre-feet for the VAMP Target Flow and assumes implementation of the SJRA. It includes three components of flow:

- Up to 110,000 acre-feet per year towards meeting the VAMP Target Flow. Water provided under this component is divided among the SJRGA members pursuant to the SJRGA Division Agreement. This water is to be used only during the VAMP 31-day test flow period.
- Additional water from Merced (12,500 acre-feet) during October. This flow is provided above the “existing flow” in the Merced River during October.
- Additional water (15,000 acre-feet) from Oakdale Irrigation District (OID) to be available to Reclamation. In addition to this water, any of the (up to) 11,000 acre-feet of OID VAMP water not provided towards meeting the VAMP Target Flow will be made available to Reclamation.

The water currently provided by the SJRGA members is provided by several potential means, including the increased release of water from tributary reservoir storage.

## **IV. BASIS OF DECISION AND ISSUES EVALUATED**

The Final SEIS/EIR addressed potential impacts associated with the Proposed Action and No Action Alternatives. No other feasible alternatives were identified. The No Action Alternative was evaluated, as required by NEPA, to provide a basis of comparison of impacts between implementing or not implementing the Proposed Action. The environmental document addressed potential impacts pertaining to surface water, groundwater, terrestrial and aquatic resources, biological resources, land uses, cultural resources, recreation, energy, Indian Trust Assets, and environmental justice. For each issue, the Final SEIS/EIR identified the Proposed Action as either resulting in no impact, being less than significant, or resulting in a beneficial impact.

The basis of the decision to proceed with the Proposed Action is that it meets the identified need to acquire of up to 47,000 acre-feet of “supplemental” water by Reclamation to achieve full VAMP target flows. The Final SEIS/EIR indicated that this need can be met through implementation of the Proposed Action without resulting in any significant impacts. The Proposed Action is the environmentally preferable alternative.

## **V. IMPLEMENTING THE DECISION AND ENVIRONMENTAL COMMITMENTS**

The prior Final EIS/EIR (Reclamation), prepared for *Meeting Flow Objectives for the San Joaquin River Agreement, 1999-2010*, identified environmental commitments for the preferred alternative analyzed in that document. Under these environmental commitments, Reclamation, as a member of the San Joaquin River Technical Committee, is required to develop a flow regime for releases of purchased water in coordination with the SJRGA and the California Department of Water Resources. By February 15 of each year, the operation plan is developed describing how VAMP and the other flows in SJRA will be implemented in a given year.

Under the environmental commitments identified in the Final SEIS/EIR prepared for the Proposed Action, the additional supplemental flows of the Proposed Action of up 47,000 acre-feet annually will be included in the flow regime and operations plans for each year if it is anticipated that the supplemental flows may be needed. Reclamation is required to ramp the additional pulse flows to avoid stranding fish.

For the Proposed Action, Reclamation has completed consultations with U.S. Fish and Wildlife Service (Service) and National Marine Fisheries Service (NMFS) under Section 7 of the Endangered Species Act. They have both concurred that the Proposed Action is not likely to adversely affect any Federal-listed species, nor is it anticipated that the Proposed Action will modify or destroy designated critical habitat for listed species.

## **VI. COMMENTS RECEIVED ON THE FINAL SEIS/EIR**

No comments were received during the 30-day No Action period following final filing date of April 10, 2001.